

REMARKS

Summary of the Office Action

The drawings stand objected to because they do not show every feature of the invention as specified in the claims.

Claim 1 stands objected to because of minor informalities.

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,433,993 to Jakeway (hereinafter “Jakeway”).

Summary of the Response to the Office Action

Claims 1 and 4 have been amended to further define the invention. Accordingly, claims 1-4 are presently pending.

The Objection to the Drawings

Applicant respectfully asserts that the every feature of the invention specified in the claims is included in the drawings. The Office Action states “the openings being ‘formed in peripheries of the associated shaft portions’ (clm 2) must be shown...” (Pg. 2, para. 1). Applicant respectfully submits that the aforementioned openings are shown. For example,

figures 1, 2 and 4 show openings 29, which are described in the specification on page 7, lines 6-7. Accordingly, Applicant respectfully requests that the objection to the drawings be withdrawn.

The Objection to Claim 1

Claim 1 is objected to because of minor informalities. Claim 1 has been amended in accordance with the comments in the Office Action. Accordingly, Applicant respectfully submits the claim is in condition for allowance.

The Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claim 4 in accordance with the comments in the Office Action. Applicant respectfully submits that the amendments to claim 3 do not narrow the intended scope of the claim, and therefore, Applicant does not intend to relinquish any subject matter by this amendment. Applicant respectfully submits that claim 4, as amended, fully complies with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Rejection Under 35 U.S.C. § 102

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Jakeway.

Applicant traverses these rejections for at least the following reasons.

Applicant respectfully submits that Jakeway does not teach at least “the lever is pivotably connected to the lever support portion,” as required by amended claim 1.

Jakeway discloses a hardware article with a projection socket portion (5) that includes holes (10, 11) to “receive spindle retaining pins.” (Fig. 4 and Col. 2, lines 3-4). Jakeway does not teach how the hardware article is attached to other items. However, it appears from the disclosure that the disclosed embodiments, “an automobile door handle” and “a remote control” would be attached in a way to either be fixed in place or for the lever to remain stationary with respect to the lever support portion (not shown). (Col. 1, lines 19, 20 and 32; Fig. 1; Fig. 8).

Applicant respectfully submits that Jakeway does not teach any particular relation between the lever and a lever support portion. Therefore, it does not disclose that “the lever is pivotably connected to the lever support portion,” as required by amended claim 1.

Furthermore, the present invention, as described by amended claim 1, provides “a lever support portion including a pair of shaft portions with which the pair of fitting recessed portions are respectively fitted....” In other words, the shaft portions are a part of the lever support structure. By contrast, Jakeway discloses nothing about holes (10, 11) in the projecting socket portion (5) or the spindle retaining pins they receive. Moreover, there is no mention in Jakeway of what, if anything else, these pins are connected to or how the pins would be connected to the projecting socket portion (5).

Thus, Applicant respectfully submits that Jakeway also does not teach at least “a lever support portion including a pair of shaft portions with which the pair of fitting recessed portions are respectively fitted...” or that “the lever is pivotably connected to the lever support portion,” both required by amended claim 1.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).”

Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn. Furthermore, Applicant respectfully submits that dependent claims 2-4 are allowable at least because of their dependency from independent claim 1 and the reasons set forth above.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant’s undersigned representative to expedite prosecution.

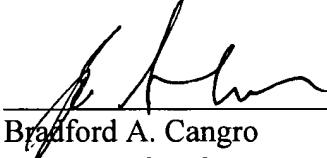
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

ATTORNEY DOCKET NO.: 040894-5941
Application No.: 10/617,139
Page 8

37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Bradford A. Cangro
Reg. No. 58,478

Dated: May 24, 2006

Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-3000
Facsimile: 202-739-3001